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REMARKS

Claims 15 and 17 have been canceled without prejudice or disclaimer. Accordingly the objection to the drawings and to the specification, each of which was based upon elements recited in those claims, is now moot.

Claim 14 has been placed in independent form and is therefore now formally allowable. Additionally, new claims 18 through 21 have been added to recite further structural details of the rack and the associated receptacle.

Claims 1, 3 through 9, 11 through 13, and 15 through 17 were rejected as anticipated by the Fischer et al. '178 patent. In the course of the reasoning underlying that rejection, the structure shown in Figure 13 of the Fischer et al. was referred to, and the element identified by reference numerals 1010 and 1013 was said to be "a toothed rack (or notched bar)." However, the Fischer et al. specification clearly and consistently identifies element 1010 of Figure 13 as a feed screw (see Fischer et al., col. 28, lines 36 and 37; line 57; lines 65 and 66; and col. 29, lines 1 and 2; line 11; line 15; line 23; line 27; line 29; lines 45 and 46), not either as a rack or as a notched bar. Moreover, that element is clearly a screw and not a mere notched bar.

One having only ordinary skill in the art would readily appreciate that a feed screw has an entirely different structure than a toothed rack. Such a person would know that a feed screw has a helical thread that is defined by a continuous helical ridge, whereas a toothed rack has a series of spaced, parallel teeth that ar not continuous and are not a helical thread, but instead extend

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over only a part of the outer surface and in a direction across the rack longitudinal axis, having the structure illustrated opposite the arrow extending from reference numeral 10 in Figure 1 of the present application. Thus, by no stretch of the imagination can one consider Fischer et al.'s element 1010 to be a toothed rack. In that regard, attached hereto are photocopies of pages 1111 and 1205 of the *Random House Webster's College Dictionary*, copyright 1995, which show the ordinary definitions of the terms "rack" and "screw," respectively, and which clearly distinguish the two types of structures. In that regard, the general rule is that the meaning given to a claim term is its ordinary meaning, unless it is specifically defined to be otherwise in the specification. Here, the specification does not specifically define the term "toothed rack," and therefore the ordinary dictionary definition applies. And that definition clearly differentiates it from a screw.

Office Action to element 1009, which the Fischer et al. reference clearly identifies as a nut (see Fischer et al., col. 28, line 36). And the reference refers to nut 1009 as "an internally threaded sleeve-like axial extension of the gear 1006" (see Fischer et al., col. 29, lines 9 and 10). Thus it is the nut 1009 that engages with the feed screw 1010, and the nut rotates while the screw is non-rotatable (see Fischer et al., col.29, lines 11 through 17). In the present invention as claimed in claim 1, however, it is a gear that is in meshing engagement with the toothed rack, not a nut having a screw thread. Consequently, the Fischer et al. reference does not anticipate the invention as claimed in claim 1 because, firstly, the

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reference discloses—scr w - it does not disclose a toothed rack as claimed in claim 1, and, secondly, the reference discloses a threaded nut that surrounds and threadedly engages the screw - it does not disclose a gear that is in meshing engagement with the toothed rack as claimed in claim 1.

Finally with respect to anticipation, the Court of Appeals for the Federal Circuit has held as follows regarding what a reference must show in order for it to be considered as an anticipation of a claimed invention:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. See, e.g., Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 715, 223 U.S.P.Q. (BNA) 1264, 1270 (Fed. Cir. 1984); Connell, 722 F.2d at 1548, 220 U.S.P.Q. (BNA) at 198; Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 771, 218 U.S.P.Q. (BNA) 781, 789 (Fed. Cir. 1983), cert. denied, 465 U.S. 1026, 79 L. Ed. 2d 687, 104 S. Ct. 1284, 224 U.S.P.Q. (BNA) 520 (1984). Verdegaal Brothers Inc. v. Union Oil Co., 814 F.2d 628 (Fed. Cir.

and.

1987)

"For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference." Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 677, 7 USPQ2d 1315, 1317 (Fed. Cir. 1988). These elements must be arranged as in the claim under review, Lindemann Maschinenfabrik v. American Hoist & Derrick Co., 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984). In re Bond, 910 F.2d 831 (Fed. Cir. 1990).

For the reasons noted above, the Fischer et al. reference does not identically show every element of the invention as it is claimed in claim 1, and therefore that reference does not anticipate the invention as it is claimed.

Claims 3 through 9, 11 through 13, and 16 each depend from claim

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1. either directly or Indirectly, and therefore thos claims are distinguishable over the Fischer et al. reference for the same reasons as are given above with respect to claim 1. Additionally, those dependent claims recite additional structural features that further distinguish the invention as so claimed in those claims from the teachings of the Fischer et al. reference.

Claim 2 was rejected as obvious over the Fischer et al. reference, and claim 10 was rejected as obvious over the Fischer et al. reference when combined with the disclosure of the Schulz-Andres reference. In that regard, the Fischer et al. reference is disqualified as §103 prior art on the ground that at the time the present invention was made the subject matter of the Fischer et al. reference and the claimed invention were commonly owned (see M.P.E.P. §706.02(I)(1)). The present invention was and is owned by LuK Lamellen und Kupplungsbau Beteiligungs KG, Industriestrasse 3, Bühl, Federal Republic of Germany, as evidenced by an Assignment from the inventors, recorded in the Assignment Records at Reel 012694, Frame 0845 (a copy of the official Notice of Recordation of Assignment, document dated May 16, 2002, is of record herein and was attached to the Amendment After Final Rejection, filed on October 29. 2003). The Fischer et al. patent is owned by LuK GETRIEBESYSTEME GmbH, of Industriestrasse 3, Bühl/Baden, Germany 77815, as evidenced by the attached PATENT ASSIGNMENT ABSTRACT OF TITLE for the Fischer et al. patent.

Also attached is a German-language document entitled "Öffentliche Urkunde über Gesellschaftsvertrag der LuK G triebe-Systeme GmbH mit dem

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Sitz in Bühl," which translat d into English is: Public Document regarding Articles of Association of LuK Getriebe-Systeme GmbH with its seat in Bühl." The document is a declaration by Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) of the creation of a wholly-owned subsidiary by the name of LuK Getriebe-Systeme GmbH, which is the owner by assignment of the Fischer et al. patent. The middle paragraph on page 2 of that document when translated into English reads in substance: Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) hereby establishes a limited liability company and confirms with this written record as an enclosure the attached articles of association. Thus, Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) owns 100% of LuK Getriebe-Systeme GmbH.

In January 2001 Luk Lamellen und Kupplungsbau Gesellschaft mit beschränkter Haftung (GmbH) changed its name to Luk Lamellen und Kupplungsbau Beteiligungs KG, as evidenced by the official change of name that was recorded in the Assignment Records on May 21, 2002 (see the attached Notice of Recordation of Assignment document dated July 29, 2002). Also attached is a copy, in German, of a page from the Register of Companies of the Local Court of Baden-Baden, Germany, relative to the change of name, along with an English-language translation of that document. The enclosed documents, collectively, establish the common ownership of the subject matter of the Fischer et al. patent and of the present invention.

In view of the above, and based upon the provisions of 35 U.S.C.

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§103(c), the Fisch r tal. patent is not an effective reference against the present application because it is commonly owned by the owner of the present application. Under §103(c) of the patent statute, subject matter in a reference that is commonly owned by the owner of an application does not preclude patentability, and therefore the Fischer et al. patent is not an effective reference against the present application.

Applicants' attorney notes with appreciation the indication of allowability of the subject matter of claim 14, which has been placed in independent form to render it allowable. However, in addition to claim 14, the other claims remaining in the application are also believed to be allowable.

Based upon the foregoing amendments and remarks, the claims as they now stand in the application are believed clearly to be in allowable form in that they patentably distinguish over the disclosures contained in the references that were cited and relied upon by the examiner, whether those references be considered in the context of 35 U.S.C. § 102 or of 35 U.S.C. § 103. Additionally, the Fischer et al. patent is not an effective reference against the present application. Consequently, this application is believed now to be in condition for allowance, and reconsideration and reexamination of the application is respectfully requested with a view toward the Issuance of an early Notice of Allowance.

The examiner is cordially invited to telephone the undersigned attorney if this amendment raises any questions, so that any such question can be quickly resolved in order that the present application can proceed toward allowance.

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Respectfully submitted,

March 31, 2004

Alfred J. Mangels Reg. No. 22,605 4729 Cernell Road Cinclinati, Ohio 45241 Tel.: (513) 469-0470

Attachments:

Random House Webster's College Dictionary, page 1111;
Random House Webster's College Dictionary, page 1205:
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT, dated May 16, 2002.
PATENT ASSIGNMENT ABSTRACT OF TITLE for Patent NO. 5,954,178;
"Offentliche Urkunde" (in German);
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT, dated July 29, 2002;
Handelsregister (in German); and
Register of Companies (translation).

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igated 1775-V, adj

found in grape juice. (< ℓ (acide) racemique (1828) < L racem(us) (see excust) + ℓ -ique -uc)

(ACLIEC) T - SUIC - 4C)

(BC-0-MI-Z0-tion (ras/o ma zā/shan, rā sē/mo-, ro-), ri. the conversion of an optically active substance into an optically inactive mixture of equal antouris of the decirorotatory and levorotatory forms. [1890–95; saccus(sc) + - (ZATION)

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RACLINIC) + CZATION)

FOR—MIDSS (735°) mids/), adj. 1. Bot. bearing or arranged in the form of a raceme. 2. Anst. resembling a bunch of grapes. [1690–1700: < L racemes full of clusters, clustering. See RACLINE, -OSE']

FORM NORM, n. the process of statistically adjusting the scores of mittorily job applicants on job-qualification tests by rating each test-cater's score against the results of others in his or her raclar or ethnic group. [1991]

group. [1991]
raper (rb/sor). n. 1. a person, animal, or thing that races or takes part
in a race. 2. anything having great speed. 3. any of several stender, acthe snakes of the genera Coluber and Masticophis. [1640-50]
raper ramener (rs/run/er). n. a whiptail stant, Cremidophorus serlinealus, common in the eastern and central U.S., that runs with great
speed. [1640-50]

speed. (1640-50)
[aco-track (rizz/trak/), n. 1. a plot of ground, usu. oval, tald out for three racing. 2, the course for any race. (1655-60)
[aco-walk/mg, n. the sport of rapid walking, in which one foot must be in contact with the ground at all times. (1950-55] —race/walk/, xi_walked, walking, —race/walk/er, n.
[aco-waly (rizz/wis/), n. 1. a racetrack on which harness races are held.
2. a charmed for protecting and hadding electrical wires. [1620-50]

gaiched (78/chai), n. Jacob's favorite wife, the mother of Joseph and geniamin. Gen. 29-35.

re-chis (ra/ds), n., pl. re-chis-es, rechi-ides (rak/) 622/. ra/d-). 1. any dymious adal structures of a plant, as the stem of a leaflet. 2, the part

of the shall of a feather bearing the web. See Illus. at Feathers. 2. the part of the shall of a feather bearing the web. See Illus. at Feathers. 3. aguna. (1775-65; < fil. < Ok machts spine, ridge, backbone) racialistic (ra kirlis), n. mexers. (1720-30; < fil. < Ok machts infammation of the spine. See Racos. -(ms) —ra-chirlis (-kirlis), adj. Rachma-mi-motor (rain ma/no n6?, -no?, rak-).

A. Sergel Wayalbawitch, 1873-1943, Russian plantst and composer.

n serges was an embedding to serge the control of one roce or the roces of humandind. 2. between roces: racial harmony: racial regions. (1860-65) —ra-ctal-ty, adv. racial-istn (rā-sha lib'em), n. nacism. [1905-10] —ra-clal-tst, n., adj. Racino (rā-sha), ra- for I; ra-sā-v, rā- for 2), n. 1. Jaan Baptista, 1639-99, Prench dramalist. 2. a city in St. Wisconsin. 87,510.

rac/ing form/, n. a sheet that provides detailed information about horse races, including data on the horses, jockeys, etc. [1949-50]

page races, withdray data on the tensors, process, i.e. 1995-90, raceism (879s) and, n. 1. a beset or doctrine that inherent differences among the various human races determine cultural or individual achievement, usu, involving the idea that one's own race is superior. 2. a policy, gatern of government, etc., based on such a doctrine. 3. hatred or includenance of another race or other races. [1865-70; < P ractains. See

gram or government, etc., beson on such a doctrine. A natured of intolerance of snother face or other faces. [1865-70; < F ractume. See sust, -(se) — racfast, n. adj.

rach' (rak), n. v. rachad, rach-lag, —n. 1. a framework of bars, pegs, etc., on which particles are arranged or deposited; a clothes rack. 2. a framework set up on a vehicle to carry loads. A. a. a triangular wooden-tame in which balls are arranged before a game of pool. b. the balls so arranged. 3. Mach. a. a bar, with teeth on one of its sides, adapted to crosse with the tooth of a platon (rack and platon) or the like, as for converting director into rectilinear motion or vice versa. b. a bar having a sortes of notches engaging with a pawl or the like, 6. a former instruent of torture motion of vice versa. b. a bar having a sortes of notches engaging with a pawl or the like, 6. a former instruent of torture motion; or vice versa. b. a bar having a sortes of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering of body or mind. 8. violent strain. 9. a pair of state of intense suffering or production; wrack to go to rack and nuln. [190-1600; var. of wnack!]

1800 (1900 of the bass) in a rack. 1900 of the state pace of a horse in the first strain in variet long that for sections and 10 of the first strain of the first strain in the first str

(1590-1600; var. of wrack!)

rack! (rad), n., v., reacked, reaching. —n. 1. the last pace of a horse in with the legs move in lateral pairs but not simultaneously. —v.l. 2. (of horses) to move in a rack. (1570-60; perh. alter. of noon!)

rack! (raly, n., v., racked, rack-ing. —n. 1. a group of drifting courds. —v.l. 2. to drive or move, esp. before the wind. (1350-1400; ME rak)

rack! (raly, v.t., racked, rack-ing. to draw off (wine, clder, etc.) from the legs. (1425-73; late. ME < OF; cf. obs. F raqué (of wine) pressed from the dregs of grapes)

rack! (raly), n. 1, the neck portion of mutton, pork, or veal. 2. the rib section of a foresaddre of lamb, veal. etc. (1560-70; orig. uncert.)

rack! (rak), n., See under rack! (cf. 5a).

rack! (rak), n., v., etc. etc. etc. —n. 1. a loud noise or clamor.

rick/ and pin-fion, n. See under Rack' (def. Sa).

(echeft (rak/li), n. v. eted. eteins. —n. 1. a loud noise or clamor, esp of a disturbing or confusing kind; din; upmar. 2. social excitement, galaxy, or dissipation. 3. an organized diegal activity, such as the extersion of money by threat or violence. 4. a distronest scheme, business, athey, etc. 5. Sang, a. an occupation, invellinood, or business, b. an any or profitable source of invellinood. —v.i. 6. to make a racket or easy or profitable source of invellinood. —v.i. 6. to make a racket or easy or profitable source of invellinood. —v.i. 6. to make a racket or easy or profitable source or invellinood. —v.i. 6. to make a racket or easy or of dial. raillex; see articl. —xyn. See noise.

(ethete (rak/li), n. 1. a light but having a neiting of catgut or nyion spetited in a more or less oval frame and used in tennis. badminton, and paddle tennis. 9. reckets, (used with a sing. v.) racquer (def. 1). 4. 1 soushoe made in the form of a tennis racket. Also, racquet (for defs. 1, 2.4). [1890-1500] < MP raquette, rachette, pern. < Ar riflect var. of dial.

(Big paim of the hand)

Sand in an organized illegal activity, as extention. —v./. 2. to engage in Gradus (1925-30, Amer.)

return (rak/1 to), adj. 1. malding or causing a recivet: noisy. 2. fond

racemization to radiate

rack/ rall/way, n. cos RAN.WAY. (1880-85)

rack/-rent/, n., v., -rent-ed, -rent-ing. -n. 1. Also, rack/ rent/. rent caul to or nearly equal to the full annual value of a property. -v.4. 2. to exact the highest possible rent for. 3. to demand rack-rent from. (1600-10) —rack/-rent/er. n.

raiclette (18 ldet/, na-), n. a Swiss dish of melted cheese served with boiled positions. (1930-35; < r)

Pa-con (rB/kon), n. RADAR SEACON. [1940-45, Amer.: ra(dar bea)con]
ra-con (rB/kon), n. RADAR SEACON. [1940-45, Amer.: ra(dar bea)con]
ra-con-tour (rak/on thr. -tibr., -en-), n. a person who is citilled in retating stories and anecdotes interestingly. [1820-30; < r, = racont(cr)
to tell (Or r(e)-RE- + accorder to tell, account) + -eur -eus)
ra-coon (ra ksan/), n. pl. -coons, (esp. collectively) -coon. RACCOUN.
ra-coust (rsk/lt), n. 1. ra-cousts, (used with a sing. v.) a game played
with rackets and a ball by two or four persons on a four-walled court. 2.
RACKET (defs. 1, 2, 4), (sp. var. of RACKET)

RACKET-hall (contr) hall on a came similar to handhall obard with

rac-quet-bell (rai/it b6/), n. a game similar to handball, played with rackets on a four-valled court. (1963-70)

recy (r3's2), ed., recter, rectest. 1. eligitly improper or indelicate; suggestive; risqué. 2. vigorous; lively; spirited. 3. sprightly; piquard; pungent: a racy lineary siyle. 6. having an agreeably peculiar taste or flavor, as wine or fruit. [1649-55]—rec/liv. adv. —rec/linear. n.

navor, as wine or milt. [1649-55] — PROPINITY. 2017. — PROPINITY. 10. Physics: a unit of absorbed dose equal to 0.01 Gy. Compare toose (def. 4). [1915-20; shortening of ramanon) PROPINITY (180), n. 1. (Informal, a radical, —adj. 2. Slang. fine; wonderful. [1820-30; shortening of RAMBAL)

red. Meth. radian. red., Meth. 1. molical. 2. radia.

rendar (rârdain). In a device or system for determining the presence and location of an object by measuring the direction and timing of radio waves. [1940-45, Amer.; ra(dio) dietecting) aind) rianging)]

ra/dar agtron/amy, n. the branch of astronomy that uses radar to map the surfaces of planetary bodies, as the moon and Venus, and to determine periods of rotation. [1955-60]

ra-dar bea/con, n. a radar device at a fixed location, used as a navigational sid. (1940-45)
ra-dar-scope (ra/dar skop/), n. the viewing screen of radar equipment.
[1945-50]

rad-die (rad/i), v.i., -died, -diing, to interweave; wattle. [1665-75; v. use of raddle tath < AF reidele pole, rati (OF redelle; cf. F ridelle))

use of raddle tath < AF reliefe pole, relf (OF reddle, cf. F ridele) raddle* (rad/), n. nuonu.

raddle* (rad/), n. nuonu.

radi/si (ra/de o), adj. 1. arranged or having parts arranged the radii or rays. 2 made in the direction of a radius; going from the center outward or from the circumference theard along a radius: a radial cut. 3. of, like, or pertaining to a radius or a ray. 4. of, pertaining to, or siluated near the radius of the forearm. 6. acting along or to the direction of the radius of a ctrcle: radial motion. — 6. a radial section, part or structure. 7. Asolan rate. [1500-70; < ML radialle = L radius) beam. ray (see Racus) + Alis - Ali - all-deley, adv.

ra/dial en/ging, n. an interrust-combustion engine having the cylinders arranged in radial opposition, found mainly on older abcraft. [1905-10] ra/dial ker-e-tot/o-miy (terre tot/o mis), n. a surgical technique for correcting nearsightedness by making a series of spokedise incisions in the comes to change its shape and focusing properties. [1975-80] ra/dial saw/, n. a cantise-sered circular saw adjustable at various angles to the bright of the work and to the prependicular. (1950-55) ra/dial sym/metry, n. a basic body plan by which the organism can

to the sength of the work and to the perpendicular. (1900-00) raydial symm/metry, n. a basic body plan in which the organism can be divided into similar halless by passing a plante at any angle along a central axis. Compare swartens symmetry. (1883-90) raydial tire/, n. a motor-vehicle bire in which the plass or cords run from one bead to the other at right angles to both beads. See Ellus, at the?. (1965-70)

row one bear to the over it high singles to don't leads. See this nat? [1965-70]

radient (1942 on), n. the measure of a central angle authending an are equal in length to the radius: equal to 57.2958°. Abbr.: rad (1875-80)

radianted (18/de ons) also ra/di-an-by, n. 1. radiant brightness or light. 2. warm, cheerful brightness. [1595-1603]

radiant. (16/de ons), all. 1. emitting rays of light: shiring; bright. 2. bright with joy, tope, etc. 8. Physics, emitted or propagated by radiation.

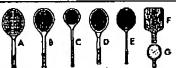
-n. 4. a point or object from which rays proceed. [1400-50; size ME < 1. radiant., s. of radiaties, type, of radiaties to radiate light, shire, v. der. of radiant envergy. n. 1. energy transmitted in wave motion, esp. electromagnetic wave motion. 2. upan' (def. 2a). [1910-15]

ra/diant haav', n. the time rate of flow of radiant energy. [1915-20]

ra/diant haav', n. heat energy transmitted by electromagnetic waves in contrast to heat transmitted by conduction or convection. [1500-10]

ra/diant haav'ing, n. 1. the means of heating objects or persons by radiation in which the interventing sir is not heated. 2. a system for heating by radiation from a surface, esp. from a surface heated by means of electric resistance, hot water, etc. [1910-15]

racket (defs. 1, 2) A, termis:
B, court termis;
C, squash;
D, squash termis; E - badminton , paddit lennis; G, lable tennis



ra-di-ata (v. ra/dē 8v. adj. -it. -5i/), v. -at-ad, -at-ing, adj. -v.l. 1. to extend, spread, or move like rays or radil from a center. 2. to emit rays, as of light or heat; irradiate. 3. to issue or proceed in rays. 4. (of persons) to project or glow with cheenfulness, loy, ct. -v.l. 5. to emit rays; disseminate, as from a center. 6. (of persons) to project (joy, goodwith, etc.). -- adj. 7. radiating from a center. 8. having rays extend-

PRONUNCIATION REV: 8Ct. Gipe, dare, part sol, even; il, ice; ox, $n\bar{s}$, $l\bar{c}r$, oil, book, book, out; up, arge; child; sing; shoe; thin, that; zh in tressure. $\theta=a$ in alone, e in liem, l in easily, o in gallop, u in circus; * in fire (fir), four (out).

PAGE 15/27 * RCVD AT 3/31/2004 5:30:25 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:513 489 5030 * DURATION (mm-ss):12-32

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7. 10 artst ø in ad

OE scrapian to scraich (which it in part replaces); (n.) late ME: scraper,

scr. or the v.] — scrap*er, n. spile of old, discarded material, as metal. (1830-40) erap*is (skrap*e. skrap*e), n. an infectious, usu, fetal brain disease of sheep, characterized by britching of the neck and head, grinding of the teath, and scraping of itching portions of skin against fixed objects. [1905-10]

(1905-10] crapping (strapping), n. 1. the act of a person or thing that scrapes. 2. The sound of something being scraped. 3. Usu:, seropings. something that is scraped off, up. or together. [1400-50] crapping (strapport, n. Informal, a person who is always ready and eager for a light or argument. [1870-75] scrapping (strappin), n. commest much combined with pork bits, seasoned, and sitted for frying. (1850-55, Amer.; appar. scrapping (strapping). (strapping). (1850-55, Amer.; appar. scrapping).

ecrap-py¹ (skrap-e), adj., -pi-er, -pi-est. made up of scraps or of odds and ends; fragmentary: disconnected. (1830-40) —ecrap-pi-ly, adv.

dim. Suma) (skrap/e), adj., pl-er, pl-est, made up of scraps or of odds and ends; fragmentary; disconnected. (1630–40) —ccrap/pl-hy, adv. —perap/pl-nass, n. —crapp/pl-nass, n. —crapp. —cra

strate wood-dermon)
senatch board (skrach/bord/. -bord/), n. a cardboard coated with impermeable while day and covered by a layer of link that is scratched or straped in patterns revealing the surface below. (1925-30)
scratches (strach/tz), n. (used with a sing. v.) a disease of horses marked by dry rifts or chape that appear on the legs. (1605-15)
scratch/ shoot/. n. a publication giving betting odds and other information on horse races. (1935-40, Amer.)
scratch/test/. n. a test for an altergy in which the skin is scratched and an altergen applied to the area. (1935-40)
scratch/y (skrach/c), adj., scratch-t-er, scratch-t-est. 1. causing a slight grating noise. 2. consisting of marked by scratches a scratchy drawing. 9. unevern haphazard: the plays a scratchy game. 4. causing or table to cause a scratch or milnor invision. (1700-10) —scratch/hosse, n.
scrawe (shrth), v., scrawed, scraw-ling, n. —v.t. 1. to write or draw in

any.—ecratch/inexs. n.

cerswi (shrib), v., scrawled, ecrawling, n.—v.t. 1. to write or draw in
a specialing, antiward manner.—v.l. 2. to write awtwardly, carelessly, or
lingibly,—n. 3. awtward, careless, or lingible handwriting. 4. someling scrawled. (1603–15; perh. to be identified with late M2 scrawle to
sprant, crawl (b. spawn and crawn!)—ecrawler, n.—ecrawly, adj.
scrawnly (shribne), adj. scrawnler, ecrawnless. excessively thin;
team. (1825–35, Amer.: var. of dial. scranny < Norw skran lean + -v!)
—ecrawly (shribness, n.

ecrawli (shribness, n.

ecrask (street, v., screeked, screak-ing. n. —v.l. 1. to screech. 2. to treet. —n. 8. a screech. 4. a creak (1400-1500; < Scand; cl. Norw skrike, Dan strige, akin to ON streeth) to screech; cl. screec

-screakly, adj.

tcream (slown), v. screamed, acreaming, n.—v.l. 1. to lutter a loud, sharp, piercing cry. 2. to emil a shrill, plercing sound. 3. to lough immoderately or uncontrollably. 4. to shout or speak shrilly. 6. to be constituted or shartling.—v.l. 6. to utter with or as if with a scream or screams. 7. to make by screaming to scream oneself hourse.—n. 8. a loud, sharp, piercing cry. 9. a shrill, piercing sound. 10. Information or something that is filiariously funny. (1150-1200; ME screamen (v.). OE *screaman axin to Oh swaumi chatterbox braggart, struma to Jabber: sc. (for regular sh- as in ME streame) from obs. scritch to screamen (skriftmar). n. 1. a person or thing that screams. 2. Informer (skriftmar). n. 1. a person or thing that screams. 2. Informer

scritch to scatten)
scream-or (skrPmar), n. 1. a person or thing that screams. 2. Informal something or someone causing screams of excitament, bughter, or the like. 3. a sensational headline printed in very large type. 4. any of several targe, heavy-legged South American birds of the family Anhimidae, akin to geese and ducks, with harsh, far-carrying calls. [1705-15] teream-sing (skrPming), adj. 1. uttering screams. 2. boldly striking or startling screaming headlines. 8. causing hilarious laughter. [1350-1400] —scream/ing-ly, adv.
scream/ing-mass/mists (mit/mix), n. (used with a sing, or pl. v.) In-

scrap heap to scr w convey r formal, extreme nervousness; hysteria. [1925-30; redupl, with alter. of SCREAMING; SER -Y2, -8"]

tatus. (1775-85; < ON starting landside)

caus. (1773-05): Cun skrims (amasino) screeched, skriech), v., screeched, screeched, n. —v.i. 1. to utter or make a harsh, shill cry or sound. —v.t. 2. to utter with a screech. —n. 3. a harsh, shill cry or sound. (1550-60) var. of obs. scritch to scream; akin to scream; —screeched, n. —creeched, adj., screeched.

ecrosoh' ow'. n. any of several small flew World owts of the genus Ous, having homilike turks of feathers, 29 O. asio. of E florth America.

screech' owl., n. any of several small flew World owls of the genus Outs, having homilike turts of feathers, as O. axio. of E florth America. [1583-95]
screed (skred), n. 1. a long discourse or essay, esp. a distribse. 2. an informal letter, account, or other piece of writing. 3. a guide used in surfacing pasterwork or cement work. [1275-1325; ME screet tom fragment, kreg. (with sc- for sh-) repr. OE screade sarro)
screen (skren), n., v. screened, acrean-ling.—n. 1. a movable or fixed device. usu. consisting of a covered frame, that provides shelter, serves as a partition, etc. 2. a permanent, usu. omamental partition, as around the choir of a church. 3. a specially prepared, light-reflecting surface on which motion pictures, slides, etc., may be projected. 4. motion pictures collectively or the motion-picture industry. 5. the part of a television or computer on which a picture is formed or information is displayed. 6. anything that shelters, protects, or conceals. 7. a frame hadding a mesh of wire, cloth, or pastic, for placing in a window or doonway, acound a porch, etc., to admit all but exclude insects. 8. a sieve or other meshilize device used to separate smaller particles or objects from larger ones, as for grain or sand, 9. 8 system for screening or grouping people, objects, etc., 10. a body of troops sent out to protect the movement of an army. 11. a protective formation of small vessels, as destroyers, around a larger ship or ships. 12. a plate of ground glass or the like on which the limage is brought into focus in a camera before being photographed. 13. Artist, a glass plate on which have bets of intersecting lines have been elicibed, used to make halftones. 14. (in sports) any of various interpesing plays or carties to protect a teammate with the ball or to obstruct an opponent.—v.v. 15. to shelter, protect, or conceal with or as if with a screen. 18. to sift or sort by passing through a screen. 19. a. to project (a motion picture, side, etc.) on a screen. 4. to photograph with a motion-picture came

in back of a wall of blockers and who is behind or not tar beyond the time of scrimmage. [1990–55]

cream-play (alven-pla). n. 1. the outline or full script of a motion picture; scenario. 2. Older Use, a motion picture. [1915–20]

scream-tast', n. a filmed audition to determine the suitability of an includual for appearing or acting in a motion picture. [1920–25]

-cream-writ-er (sluren-victor), n. a person who writes screenplays as an accumulation. [1920–25]

PRONUMENTION KEY, Oct., CARR., plant, part, set, Even; U_i ice; ∞ , $n\delta$, $(\partial r, ott, book, book, out; up, <math>\alpha rge$; child; sing; shoe; thin, <math>Bat; sh in treasure, s=sh alone, c in treasure, a=sh alone, a in a in

PAGE 16/27 * RCVD AT 3/31/2004 5:30:25 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:513 489 6030 * DURATION (mm-ss):12-32



MAY 16, 2002

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NUMBER OF PAGES: 3

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ASSIGNOR:

BERGER, REINHARD

DOC DATE: 01/17/2002

ASSIGNOR:

ESLY, NORBERT

DOC DATE: 02/21/2002

ASSIGNOR:

BUCKLER, JULIAN

DOC DATE: 02/12/2002

ASSIGNEE:

LUK LAMELLEN UND KUPPLUNGSBAU BETEILIGUNGS KG INDUSTRIESTRASSE 3

D-77815, BUHL, FED REP GERMANY

SERIAL NUMBER: 10010948

FILING DATE: 12/06/2001

PATENT NUMBER:

ISSUE DATE:



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Patent Assignment Abstract of Title

NOTE: Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Issue Dt: 09/21/1999 Application #: 08792512 Filing Dt: 01/31/1997 Patent #: 5954178

Inventors: ROBERT FISCHER, NORBERT ESLY, REINHARD BERGER, KARL-LUDWIG KIMMIG

Title: APPARATUS FOR ACTUATING AN AGGREGATE IN THE POWER TRAIN OF A MOTOR VEHICLE

Assignment: 1

Reel/Frame: 008467/0195

Recorded: 01/31/1997

Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: FISCHER, ROBERT

Exec Dt: 01/15/1997

ESLY, NORBERT

Exec Dt: 01/15/1997

BERGER, REINHARD

Exec Dt; 01/15/1997

KIMMIG, KARL-LUDWIG

Exec Dt: 01/15/1997

Assignee: LUK GETRIEBE-SYSTEME GMBH

INDUSTRIESTRASSE 3

BUHL/BADEN, GERMANY 77815

Corr spondent: DARBY & DARBY P.C.

HENRY STERNBERG

805 THIRD AVENUE, 27TH FLOOR

NEW YORK, NY 10022-7513

Search Results as of: 03/30/2004 07:33 PM

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Begi. Fotokopie

1 Urkundenrolle-Nr. 2187/91



Notariat Bühl/Baden

Referat

Offentliche Urkunde

über

Gesellscheftsvertrag

LuK Getriebe-Systeme GmbH mit dem Sitz in Bühl

(4 mm)

Geschehen zu Bühl im Amtszimmer des Notariats am zehnten Dezember neunzehnhunderteinundneunzig

- 10. Dezember 1991 -

vor Notar Schilfarth, Notariat 1 Bühl.

Es ist erschienen und von Person bekannt:

Herr Helmut Beier, Robert-Koch-Straße 45, 7580 Bühl,

handelnd nicht im eigenen Namen, sondern als Bevollächtigter für die LuK Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung mit dem Sitz in Bühl aufgrund nachzureichender Genehmigungserklärung.

Der Erschienene erklärte:

Die LuK Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung errichtet hiermit eine Gesellschaft mit beschränkter Haftung und stellt den dieser Niederschrift als Anlage beigefügte Gesellschaftsvertrag fest.

Auf die Anlage wird verwiesen.

Die Gesellschafterin bestellt

a) Herrn Gunter Jürgens, Dipl.-Ing.
Am Pfrimmenacker 3 a, 7570 Baden-Baden-Neuweier,

und

b) Herrn Norbert Indlekofer, Dipl.-Ing., Am Bierkeller 8, 7580 Bühl-Altschweier,

jeweils zum Geschäftsführer. Sie vertreten die Gesellschaft jeweils gemeinschaftlich mit einem anderen Geschäftsführer

oder einem Prokuristen. Sie vertreten die Gesellschaft allein, falls sie all inige Geschäftsführer sind.

Der Notar wies den Erschienenen darauf hin,

- daß bei Eintragung der Gesellschaft im Handelsregister der Wert des Gesellschaftsvermögens (zuzüglich des Gründungsaufwandes) nicht niedriger sein darf als das Stammkapital und jeder Gesellschafter zur Leistung eines insoweit bestehenden Fehlbetrages verpflichtet ist,
- daß die Gesellschaft vor ihrer Eintragung in das Handelsregister nicht als Gesellschaft mit beschränkter Haftung besteht und daß persönlich haftet, wer vor Eintragung im Namen der Gesellschaft handelt und
- daß der Erwerb der Geschäftsanteile an der Gesellschaft der Gesellschaftssteuer unterliegt.

Schluß:

Beantragt werden:

- 1. Ausfertigung für das Amtsgericht Baden-Baden Handelsregister -,
- 2. begl. Abschriften erhalten:
 - a) der Gesellschafter und die Gesellschaft je eine,
 - b) Kapitalverkehrssteuerstelle.

Diese Niederschrift nebst Anlage wurde vom Notar dem Erschienenen vorgelesen, von ihm genehmigt und eigenhändig wie folgt unterschrieben: Anlage zur Urkunde des Notariats 1 Bühl

- 1 UR (487 /91 -

Schillarth Notar

\$10 miles

Gesellschaftsvertrag

§ 1 Firma und Sitz der Gesellschaft

1. Die Firma der Gesellschaft lautet:

Luk Getriebe-Systeme GmbH

2. Sitz der Gesellschaft ist Bühl/Baden.

§ 2 Gegenstand des Unternehmens

- Gegenstand des Unternehmens sind die Entwicklung, die Herstellung und der Vertrieb von Geräten, Systemen und Anlagen von Antriebssystemen von Fahrzeugen.
- 2. Die Gesellschaft ist berechtigt, Zweigniederlassungen im In- und Ausland zu errichten, sich an anderen Unternehmen zu beteiligen und alle Maßnahmen zu ergreifen, welche der Förderung des Gesellschaftszweckes dienlich sind.

§ 3 Stammkapital und Stammeinlagen

Das Stammkapital der Gesellschaft beträgt 100.000,-- DM (in

P23

einer Stammeinlage in Höhe von 100.000,-- DM. Die Luk Lamellen- und Kupplungsbau Gesellschaft mit beschränkter Haftung übernimmt eine Stammeinlage in gleicher Höhe. Auf diese Stammeinlage ist ein barer Betrag in Höhe von 100.000, -- DM an die Gesellschaft eingezahlt.

§ 4 Geschäftsführung

Die Gesellschaft hat einen oder mehreren Geschäftsführer, die durch die Gesellschafterversammlung bestellt und abberufen werden. Ist nur ein Geschäftsführer bestellt, so vertritt dieser die Gesellschaft allein. Sind mehrere Geschäftsführer bestellt, so wird die Gesellschaft durch zwei Geschäftsführer gemeinsam oder durch einen Geschäftsführer gemeinsam mit einem Prokuristen vertreten. Die Gesellschafterversammlung kann auch bei Vorhandensein mehrerer Geschäftsführer einzelnen oder allen von ihnen Alleinvertretungsbefugnis erteilen. Sie kann Geschäftsführer von den Beschränkungen des § 181 BGB befreien.

§ 5 Geschäftsjahr

Das Geschäftsjahr der Gesellschaft ist das Kalenderjahr. Das erste Geschäftsjahr beginnt mit der Eintragung der Gesellschaft in das Handelsregister und endet mit dem darauf folgenden 31. Dezember.

§ 6 Jahresabschluß

Die Geschäftsführer haben innerhalb der gesetzlichen Frist

- 3 -

des Geschäftsjahres die Bilanz für das verflossene Geschäftzjahr nebst Gewinn- und Verlustrechnung vorzulegen.

§ 7 Bekanntmachungen

Soweit nach dem Gesetz Bekanntmachungen der Gesellschaft zu veröffentlichen sind, erfolgen sie nur durch den Bundesanzeiger.

§ 8 Gründungsaufwand

Den gesamten Gründungsaufwand trägt die Gesellschaft bis zu einem Höchstbetrag von 5.000,-- DM.



JULY 29, 2002

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Chief Information Officer Washington, DC 20231 www.uspto.gov

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ASSIGNOR:

LUK LAMELLEN UND KUPPLUNGBAU GMBH DOC DATE: 01/16/2001

ASSIGNEE:

LUK LAMELLEN UND KUPPLUNGSBAU

BETEILLIGUNGS KG

INDUSTRASSE 3

BUHL, FED REP GERMANY D-77815

SERIAL NUMBER: 09574477

FILING DATE: 05/19/2000 ISSUE DATE:

PATENT NUMBER:

PATENT NUMBER:

SERIAL NUMBER: 09619939

PATENT NUMBER: 6419067

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SERIAL NUMBER: 09630697 ISSUE DATE: PATENT NUMBER:

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		ies - D.		the Local Court of Baden-Baden tet Buthl -	3aden-Bad		Page (confinued on page)		HRA 1097-BH
П	e) Name of Company b) Place of establishment (registered offices) c) Purpose of the Company (for legal enfities)	Æ	Proprietor, General Partners, Management Board, Uquidatore	Procuration		9 7	Legal Status		a) Date of Entry and Signature b) Remarks
t	2		6	4			5		φ
a) Luk Lama bau Belai	a) LeK Lamellen und Kupplungs- bau Belettgungs KG		Company "LuK Deutschland		United partnership.	ership.			e) 16 January 2001 Signature
전 198 16			Bekillgungs KG with registered offices in Bûhi		Created eccordin form-converting i Gesellachaft mit Court of Baden-E December 2000.	ading to 8. 1994 of the C ing reorganisation of the mit beschränkter Haffur se-Beden HRB 15-BH) (XX).	Created eccording to 8. 1904 of the German Reorganisation Act (UmwC) by form-converting reorganisation of the company "Lock Lumegen and Kuppkingsbau Gecellechaft mit beschränkter Haftung" with registered offices in Buhi (Local Court of Baden-Baden HRB 15.8H) dus to a reorganisation resolution of 28 December 2000.	x (UmwC) by und Kuppklungsbau in Bühi (Local iolulion of 28	b) Special volume AS 1-29 phG-GmbH LC Bader-Baden HRA (004-8H
		• ***	•		The company ganisation Ac Vervaltungs	y commenced on 18 Jar 11 (UmwG). The limited greatechaft mbH Bühli"	The company commenced on 16 January 2004, e. 2021 I of the German Recregenisation Act (UniwG). The limited partner is the company "LuK Automotive Verwalbungsgesesschaft mbH 80hi" with a contribution of1,000,000 euros	e German Reor- JK Aufornelive 1,000,000 euros	Limited partner Local Court of Baden-Baden HRB 1126-BH formerly LC Baden-Baden HRB 15-RH
2			Company"Luk Lometen und Kupplungsbau Betelligungs KG" With registered offices in Bühl		The company	The company "LuK Managerfent GmbH" johref the company as a general párther.	The company "LuK Managerdent GmbH" with registered offices in BUN has joined the company as a general parther.	8 In BUN has	a) 27 March 2001 Signature b) Special volume AS 31-41 phG LC Baden-Baden
			Company TuK Management GmbH" with registered offices in 94hi						HRB 1188-8H
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